



Public Law 92-242
92nd Congress, H. R. 12067
March 8, 1972

LEGISLATIVE COUNSEL
FILE COPY

An Act

Making appropriations for Foreign Assistance and related programs for the fiscal year ending June 30, 1972, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for Foreign Assistance and related programs for the fiscal year ending June 30, 1972, and for other purposes, namely:

Foreign Assist-
ance and Related
Programs Appro-
priation Act,
1972.

TITLE I—FOREIGN ASSISTANCE ACT ACTIVITIES

86 STAT. 48
86 STAT. 49

FUNDS APPROPRIATED TO THE PRESIDENT

For expenses necessary to enable the President to carry out the provisions of the Foreign Assistance Act of 1961, as amended, and for other purposes, to remain available until June 30, 1972, unless otherwise specified herein, as follows:

75 Stat. 424.
22 USC 2151
note.

ECONOMIC ASSISTANCE

Worldwide, technical assistance: For necessary expenses to carry out the provisions of section 211, \$160,000,000: *Provided*, That no part of this appropriation shall be used to initiate any project or activity which has not been justified to the Congress.

80 Stat. 797.
22 USC 2171.

Alliance for Progress, technical assistance: For necessary expenses to carry out the provisions of section 251 with respect to Alliance for Progress, technical assistance, \$80,000,000: *Provided*, That no part of this appropriation shall be used to initiate any project or activity which has not been justified to the Congress.

76 Stat. 257;
80 Stat. 799.
22 USC 2211.

International organizations and programs: For necessary expenses to carry out the provisions of section 301, \$127,000,000, of which \$15,000,000 shall be available only for the United Nations' Children's Fund: *Provided*, That no part of this appropriation shall be used to initiate any project or activity which has not been justified to the Congress. It is the sense of the Congress that the total United States contribution to the International Atomic Energy Agency be negotiated by the State Department with the members of the IAEA in order to bring our contribution down to a per centum not to exceed 31.5. Progress made on these negotiations shall be reported to the Foreign Relations and Appropriations Committees of the Senate and the Foreign Affairs and Appropriations Committees of the House of Representatives by September 30, 1972.

81 Stat. 453.
22 USC 2221.

International
Atomic Energy
Agency, U.S.
contribution.

Report to con-
gressional
committees.

Programs relating to population growth: For necessary expenses to carry out the provisions of section 291, \$125,000,000.

81 Stat. 452.
22 USC 2219.

American schools and hospitals abroad: For necessary expenses to carry out the provisions of section 214, \$20,000,000.

Ante, p. 22.

Indus Basin Development Fund, grants: For necessary expenses to carry out the provisions of section 302(b) (2) with respect to Indus Basin Development Fund, grants, \$10,000,000.

Ante, p. 23.

Indus Basin Development Fund, loans: For expenses authorized by section 302(b) (1), \$12,000,000, to remain available until expended.

81 Stat. 454.

Contingency fund: For necessary expenses, \$30,000,000, to be used for the purposes set forth in section 451.

22 USC 2222.

Ante, p. 24.

Refugee relief assistance (East Pakistan): For necessary expenses for the relief and rehabilitation of refugees from East Pakistan and for humanitarian relief in East Pakistan, \$200,000,000.

East Pakistan.

76 Stat. 257;
80 Stat. 799.
22 USC 2211.
83 Stat. 805.
22 USC 2163.
75 Stat. 426.
22 USC 2161.
Ante, p. 21.

Alliance for Progress, development loans: For necessary expenses to carry out the provisions of section 251 with respect to Alliance for Progress, development loans, \$150,000,000, together with such amounts as are provided for under section 203, all such amounts to remain available until expended.

Development loans: For necessary expenses to carry out the provisions of section 201, \$200,000,000, together with such amounts as are provided for under section 203, all such amounts to remain available until expended.

86 STAT. 49
86 STAT. 50
Ante, p. 28.
22 USC 2397.

Administrative expenses: For necessary expenses, \$50,000,000, to be used for the purposes set forth in section 637(a).

22 USC 1613d.

Administrative and other expenses: For expenses authorized by section 637(b) of the Foreign Assistance Act of 1961, as amended, and by section 305 of the Mutual Defense Assistance Control Act of 1951, as amended, \$4,221,000.

22 USC 2151
note.

68 Stat. 830;
73 Stat. 167.
31 USC 200.

Advance notice to congressional committees.

Unobligated balances as of June 30, 1971, of funds heretofore made available under the authority of the Foreign Assistance Act of 1961, as amended, except as otherwise provided by law, are hereby continued available for the fiscal year 1972, for the same general purposes for which appropriated and amounts certified pursuant to section 1311 of the Supplemental Appropriation Act, 1955, as having been obligated against appropriations heretofore made under the authority of the Foreign Assistance Act of 1961, as amended, for the same general purpose as any of the subparagraphs under "Economic Assistance" and "Security Supporting Assistance", are hereby continued available for the same period as the respective appropriations in such subparagraphs for the same general purpose: *Provided*, That such purpose relates to a project or program previously justified to Congress and the Committees on Appropriations of the House of Representatives and the Senate are notified prior to the reobligation of funds for such projects or programs.

MILITARY ASSISTANCE

75 Stat. 435;
81 Stat. 455.
22 USC 2311.

Military assistance: For necessary expenses to carry out the provisions of section 503 of the Foreign Assistance Act of 1961, as amended, including administrative expenses and purchase of passenger motor vehicles for replacement only for use outside of the United States, \$500,000,000: *Provided*, That none of the funds contained in this paragraph shall be available for the purchase of new automotive vehicles outside of the United States!

SECURITY SUPPORTING ASSISTANCE

Ante, p. 26.

Israel, funds availability.

Security supporting assistance: For necessary expenses to carry out the provisions of section 531 of the Foreign Assistance Act of 1961, as amended, \$550,000,000: *Provided*, That no part of this appropriation shall be used to initiate any project or activity which has not been justified to the Congress: *Provided further*, That of the funds appropriated under this paragraph, not less than \$50,000,000 shall be available for obligation for security supporting assistance for Israel only.

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OVERSEAS PRIVATE INVESTMENT CORPORATION

The Overseas Private Investment Corporation is authorized to make such expenditures within the limits of funds available to it and in accordance with law (including not to exceed \$10,000 for entertainment allowances), and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended (31 U.S.C. 849), as may be necessary in carrying out the program set forth in the budget for the current fiscal year.

61 Stat. 584.

Overseas Private Investment Corporation, reserves: For expenses authorized by section 235(f), \$12,500,000, to remain available until expended.

83 Stat. 813.
22 USC 2195.

INTER-AMERICAN FOUNDATION

The Inter-American Foundation is authorized to make such expenditures within the limits of funds available to it and in accordance with the law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended (31 U.S.C. 849), as may be necessary in carrying out its authorized programs during the current fiscal year: *Provided*, That not to exceed \$10,000,000 shall be available to carry out the authorized programs during the current fiscal year.

86 STAT. 50.
86 STAT. 51

GENERAL PROVISIONS

SEC. 101. None of the funds herein appropriated (other than funds appropriated for "International organizations and programs" and "Indus Basin Development Fund") shall be used to finance the construction of any new flood control, reclamation, or other water or related land resource project or program which has not met the standards and criteria used in determining the feasibility of flood control, reclamation, and other water and related land resource programs and projects proposed for construction within the United States of America as per memorandum of the President dated May 15, 1962.

Flood control
and related
projects.

SEC. 102. Obligations made from funds herein appropriated for engineering and architectural fees and services to any individual or group of engineering and architectural firms on any one project in excess of \$25,000 shall be reported to the Senate and House of Representatives at least twice annually.

Engineering
and architec-
tural fees;
biannual report
to Congress.

SEC. 103. Except for the appropriations entitled "Contingency fund", "Alliance for Progress, development loans", and "Development loans", not more than 20 per centum of any appropriation item made available by this title shall be obligated and/or reserved during the last month of availability.

SEC. 104. None of the funds herein appropriated nor any of the counterpart funds generated as a result of assistance hereunder or any prior Act shall be used to pay pensions, annuities, retirement pay, or adjusted service compensation for any persons heretofore or hereafter serving in the armed forces of any recipient country.

SEC. 105. None of the funds appropriated or made available pursuant to this Act for carrying out the Foreign Assistance Act of 1961, as amended, may be used for making payments on any contract for procurement to which the United States is a party entered into after the date of enactment of this Act which does not contain a provision authorizing the termination of such contract for the convenience of the United States.

Procurement
contracts,
restriction.
75 Stat. 424.
22 USC 2151
note.

75 Stat. 424.
22 USC 2151
note.
86 STAT. 51
86 STAT. 52

SEC. 106. None of the funds appropriated or made available under this Act for carrying out the Foreign Assistance Act of 1961, as amended, may be used to make payments with respect to any capital project financed by loans or grants from the United States where the United States has not directly approved the terms of the contracts and the firms to provide engineering, procurement, and construction services on such projects.

Development
research,
appropriation
limitation.
75 Stat. 433;
77 Stat. 382.
22 USC 2201.

SEC. 107. Of the funds appropriated or made available pursuant to this Act, not more than \$9,000,000 may be used during the fiscal year ending June 30, 1972, in carrying out research under section 241 of the Foreign Assistance Act of 1961, as amended.

SEC. 108. None of the funds appropriated or made available pursuant to this Act for carrying out the Foreign Assistance Act of 1961, as amended, may be used to pay in whole or in part any assessments, arrearages, or dues of any member of the United Nations.

Construction
in under-
developed
countries.

SEC. 109. None of the funds made available by this Act for carrying out the Foreign Assistance Act of 1961, as amended, may be obligated for financing, in whole or in part, the direct costs of any contract for the construction of facilities and installations in any underdeveloped country, unless the President shall have promulgated regulations designed to assure, to the maximum extent consistent with the national interest and the avoidance of excessive costs to the United States, that none of the funds made available by this Act and thereafter obligated shall be used to finance the direct costs under such contracts for construction work performed by persons other than qualified nationals of the recipient country or qualified citizens of the United States: *Provided, however,* That the President may waive the application of this amendment if it is important to the national interest.

Iron and
steel products
for Vietnam,
restriction.

SEC. 110. None of the funds appropriated or made available pursuant to this Act for carrying out the Foreign Assistance Act of 1961, as amended, may be used to finance the procurement of iron and steel products for use in Vietnam containing any component acquired by the producer of the commodity, in the form in which imported into the country of production, from sources other than the United States.

Ante, p. 21.
80 Stat. 799.
22 USC 2211.
India and
Pakistan,
conditional
assistance.

SEC. 111. None of the funds contained in title I of this Act may be used to carry out the provisions of sections 209(d) and 251(h) of the Foreign Assistance Act of 1961, as amended.

SEC. 112. None of the funds appropriated or made available pursuant to this Act may be used to provide assistance, except assistance relating to refugee relief and rehabilitation and humanitarian relief, to India and Pakistan while these countries are involved in armed conflict with one another, unless the President determines that the furnishing of such assistance is important to the national security of the United States and reports within thirty days each such determination to the Congress.

Ecuador.

SEC. 113. No part of any appropriations contained in this Act may be used to provide assistance to Ecuador, unless the President determines that the furnishing of such assistance is important to the national interest of the United States.

TITLE II—FOREIGN MILITARY CREDIT SALES

FOREIGN MILITARY CREDIT SALES

82 Stat. 1320.
22 USC 2751
note.

For expenses not otherwise provided for, necessary to enable the President to carry out the provisions of the Foreign Military Sales Act, \$400,000,000.

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TITLE III—FOREIGN ASSISTANCE (OTHER)

FUNDS APPROPRIATED TO THE PRESIDENT

PEACE CORPS

SALARIES AND EXPENSES

For expenses necessary to enable the President to carry out the provisions of the Peace Corps Act (75 Stat. 612), as amended, including purchase of not to exceed five passenger motor vehicles for use outside the United States, \$72,000,000, of which not to exceed \$24,250,000 shall be available for administrative expenses.

22 USC 2501
note.

DEPARTMENT OF THE ARMY—CIVIL FUNCTIONS

RYUKYU ISLANDS, ARMY, ADMINISTRATION

For expenses, not otherwise provided for, necessary to meet the responsibilities and obligations of the United States in connection with the government of the Ryukyu Islands, as authorized by the Act of July 12, 1960 (74 Stat. 461), as amended (81 Stat. 363); services as authorized by 5 U.S.C. 3109, of individuals not to exceed 10 in number; not to exceed \$4,000 for contingencies for the High Commissioner, to be expended in his discretion; hire of passenger motor vehicles and aircraft; and construction, repair, and maintenance of buildings, utilities, facilities, and appurtenances, \$4,216,000 of which not to exceed \$3,314,000 shall be available for administrative and information expenses: *Provided*, That expenditures from this appropriation may be made outside the continental United States when necessary to carry out its purposes, without regard to sections 355 and 3648, Revised Statutes, as amended, section 4774(d) of title 10, United States Code, civil service or classification laws, or provisions of law prohibiting payment of any person not a citizen of the United States: *Provided further*, That funds appropriated hereunder may be used, insofar as practicable, and under such rules and regulations as may be prescribed by the Secretary of the Army to pay ocean transportation charges from United States ports, including territorial ports, to ports in the Ryukyus for the movement of supplies donated to, or purchased by, United States voluntary nonprofit relief agencies registered with and recommended by the Advisory Committee on Voluntary Foreign Aid or of relief packages consigned to individuals residing in such areas: *Provided further*, That the President may transfer to any other department or agency any function or functions provided for under this appropriation, and there shall be transferred to any such department or agency, without reimbursement and without regard to the appropriation from which procured, such property as the Director of the Office of Management and Budget shall determine to relate primarily to any function or functions so transferred: *Provided further*, That reimbursement shall be made to the applicable military appropriation for the pay and allowances of any military personnel performing services primarily for the purposes of this appropriation.

80 Stat. 416.

33 USC 733.
31 USC 529.
70A Stat. 269.

Transfer of
functions,
property.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

ASSISTANCE TO REFUGEES IN THE UNITED STATES

For expenses necessary to carry out the provisions of the Migration and Refugee Assistance Act of 1962 (Public Law 87-510), relating to aid to refugees within the United States, including hire of passenger

76 Stat. 121.
22 USC 2601
note.

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80 Stat. 416.
Secretary of
State, reim-
bursement.
motor vehicles, and services as authorized by section 3109 of title 5, United States Code, \$139,000,000: *Provided*, That funds from this appropriation shall be used to reimburse the Secretary of State to cover the costs incurred by the Department of State in connection with the movement of refugees from Cuba to the United States.

DEPARTMENT OF STATE

MIGRATION AND REFUGEE ASSISTANCE

60 Stat. 999.
80 Stat. 510.
Security
clearance.
For expenses, not otherwise provided for, necessary to enable the Secretary of State to provide, as authorized by law, a contribution to the International Committee of the Red Cross and assistance to refugees, including contributions to the Intergovernmental Committee for European Migration and the United Nations High Commissioner for Refugees; salaries and expenses of personnel and dependents as authorized by the Foreign Service Act of 1946, as amended (22 U.S.C. 801-1158); allowances as authorized by 5 U.S.C. 5921-5925; hire of passenger motor vehicles; and services as authorized by 5 U.S.C. 3109; \$8,690,000, of which not to exceed \$7,650,000 shall remain available until December 31, 1972: *Provided*, That no funds herein appropriated shall be used to assist directly in the migration to any nation in the Western Hemisphere of any person not having a security clearance based on reasonable standards to insure against Communist infiltration in the Western Hemisphere.

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL FINANCIAL INSTITUTIONS

INTER-AMERICAN DEVELOPMENT BANK

Investment in Inter-American Development Bank: \$211,760,000 to remain available until expended, of which \$75,000,000 shall be available for paid in capital; \$136,760,000 shall be available for callable ordinary capital.

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

84 Stat. 1657.
22 USC 286e-
1d.
To pay for the increase in the United States subscription to the International Bank for Reconstruction and Development, as authorized by the Act of December 30, 1970 (Public Law 91-599), \$123,050,000, to remain available until expended.

TITLE IV—EXPORT-IMPORT BANK OF THE
UNITED STATES

61 Stat. 584.
31 USC 849.
The Export-Import Bank of the United States is hereby authorized to make such expenditures within the limits of funds and borrowing authority available to such corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation, except as hereinafter provided.

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86 STAT. 55

LIMITATION ON PROGRAM ACTIVITY

Not to exceed \$7,323,675,000 (of which not to exceed \$2,675,000,000 shall be for equipment and services loans) shall be authorized during the current fiscal year for other than administrative expenses.

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed \$8,072,000 (to be computed on an accrual basis) shall be available during the current fiscal year for administrative expenses, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, and not to exceed \$18,000 for entertainment allowances for members of the Board of Directors: *Provided*, That (1) fees or dues to international organizations of credit institutions engaged in financing foreign trade, (2) necessary expenses (including special services performed on a contract or fee basis, but not including other personal services) in connection with the acquisition, operation, maintenance, improvement, or disposition of any real or personal property belonging to the Bank or in which it has an interest, including expenses of collections of pledged collateral, or the investigation or appraisal of any property in respect to which an application for a loan has been made, and (3) expenses (other than internal expenses of the Bank) incurred in connection with the issuance and servicing of guarantees, insurance, and reinsurance, shall be considered as nonadministrative expenses for the purposes hereof.

80 Stat. 416.

TITLE V—GENERAL PROVISIONS

SEC. 501. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes within the United States not heretofore authorized by the Congress. Publicity of
propaganda.

SEC. 502. No part of any appropriation contained in this Act shall be used for expenses of the Inspector General, Foreign Assistance, after the expiration of the thirty-five day period which begins on the date the General Accounting Office or any committee of the Congress, or any duly authorized subcommittee thereof, charged with considering foreign assistance legislation, appropriations, or expenditures, has delivered to the Office of the Inspector General, Foreign Assistance, a written request that it be furnished any document, paper, communication, audit, review, finding, recommendation, report, or other material in the custody or control of the Inspector General, Foreign Assistance, relating to any review, inspection or audit arranged for, directed, or conducted by him, unless and until there has been furnished to the General Accounting Office or to such committee or subcommittee, as the case may be, (A) the document, paper, communication, audit, review, finding, recommendation, report, or other material so requested or (B) a certification by the President, personally, that he has forbidden the furnishing thereof pursuant to such request and his reason for so doing.

SEC. 503. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 504. Not to exceed \$1,200,000 of the funds appropriated under title I of this Act and for the Peace Corps under this Act may be used

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to reimburse the expenses of the Inspector General, Foreign Assistance, of which amount not to exceed \$1,028,000 may be expended for compensation for personnel. All obligations incurred during the period beginning February 23, 1972 and ending on the date of approval of this Act, for projects or activities for which provision is made in this Act are hereby ratified and confirmed if otherwise in accord with the applicable provisions of this Act.

Short title. This Act may be cited as the "Foreign Assistance and Related Programs Appropriation Act, 1972".

Approved March 8, 1972.

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 92-711 (Comm. on Appropriations) and No. 92-849 (Comm. of Conference).

SENATE REPORT No. 92-594 (Comm. on Appropriations).

CONGRESSIONAL RECORD:

Vol. 117 (1971): Dec. 8, considered and passed House.

Vol. 118 (1972): Feb. 2-4, considered and passed Senate, amended.

Feb. 24, House agreed to conference report; agreed to Senate amendments with amendments.

Mar. 2, Senate agreed to conference report; concurred in House amendments.